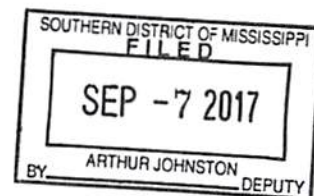


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



THE ESTATE OF RAY CHARLES WILSON,
BY AND THROUGH STELLA JEAN WILSON,
INDIVIDUALLY AND AS ADMINISTRATRIX
OF THE ESTATE OF RAY CHARLES WILSON
FOR THE USE AND BENEFIT OF THE ESTATE
AND WRONGFUL DEATH BENEFICIARIES OF
RAY CHARLES WILSON

PLAINTIFF

vs.

Civil Action No.: 3:17-cv-721 CWR-FKB

OASIS HEALTH & REHAB OF YAZOO
CITY, LLC; YAZOO CITY REHABILITATION
AND HEALTHCARE CENTER, LLC; ARK
MISSISSIPPI HOLDING COMPANY, LLC;
ORIANNA HEALTH SYSTEMS, LLC;
ORIANNA HOLDING COMPANY, LLC;
HEATHER MINCHEW, IN HER CAPACITY
AS ADMINISTRATOR OF OASIS HEALTH &
REHAB OF YAZOO CITY

DEFENDANTS

NOTICE OF REMOVAL

COMES NOW, Defendants OASIS HEALTH & REHAB OF YAZOO CITY, LLC, YAZOO CITY REHABILITATION AND HEALTHCARE CENTER, LLC, ARK MISSISSIPPI HOLDING COMPANY, LLC, ORIANNA HEALTH SYSTEMS, LLC, ORIANNA HOLDING COMPANY, LLC, and HEATHER MINCHEW, IN HER CAPACITY AS ADMINISTRATOR OF OASIS HEALTH & REHAB OF YAZOO CITY, by and through their undersigned counsel, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and appears for the purpose of presenting this Notice of Removal of the cause described below from the Circuit Court of Yazoo County, Mississippi, to the United States District Court for the Southern District of Mississippi, Northern Division, and states:

1. The above-styled action was originally commenced by Plaintiff STELLA JEAN WILSON, on or about June 9, 2017, by the filing of a Complaint in the Circuit Court of Yazoo County, Mississippi, styled "THE ESTATE OF RAY CHARLES WILSON, BY AND THROUGH STELLA JEAN WILSON, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF RAY CHARLES WILSON FOR THE USE AND BENEFIT OF THE ESTATE AND WRONGFUL DEATH BENEFICIARIES OF RAY CHARLES WILSON v. OASIS HEALTH & REHAB OF YAZOO CITY, LLC; YAZOO CITY REHABILITATION AND HEALTHCARE CENTER, LLC; ARK MISSISSIPPI HOLDING COMPANY, LLC; ORIANNA HEALTH SYSTEMS, LLC; ORIANNA HOLDING COMPANY, LLC; HEATHER MINCHEW, IN HER CAPACITY AS ADMINISTRATOR OF OASIS HEALTH & REHAB OF YAZOO CITY; JOHN DOES 1 THROUGH 10; AND UNIDENTIFIED ENTITIES 1 THROUGH 10 (AS TO OASIS HEALTH & REHAB OF YAZOO CITY); In the Circuit Court of Yazoo County, Mississippi", bearing Cause No. 2017-CI16.
2. This Court has jurisdiction over this matter, and this matter is properly removed to this Court, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446.
3. The United States District Court for the Southern District of Mississippi, Northern Division, is the proper venue for this matter since the matter is removed from the Circuit Court of Yazoo County, Mississippi.
4. Thirty (30) days or less, as calculated under applicable law has elapsed since the removing Defendants were served with other papers from which this case first became removable, and this removal has been accomplished within one (1) year after

Plaintiff's original commencement of the action so as to be timely within the provisions of 28 U.S.C. § 1446.

DIVERSITY OF CITIZENSHIP AND JURISDICTION

5. This action is properly removed to this Court pursuant to 28 U.S.C. §§ 1332 and 1441, since the proper parties to this matter are of entirely diverse citizenship.
6. Plaintiff is an adult resident citizen of the State of Mississippi.
7. Defendant OASIS HEALTH & REHAB OF YAZOO CITY, LLC, is a Delaware limited liability company which conducts business at 925 Calhoun Avenue, Yazoo City, Mississippi 39194. The sole relevant member for purposes of establishing subject matter jurisdiction of OASIS HEALTH & REHAB OF YAZOO CITY, LLC, through all additional layers, is a corporation which was incorporated in Delaware and has its principal place of business in Tennessee.
8. Defendant YAZOO CITY REHABILITATION AND HEALTHCARE CENTER, LLC, is a corporation which was incorporated in Delaware and has its principal place of business in Tennessee.
9. Defendant ARK MISSISSIPPI HOLDING COMPANY, LLC, is a corporation which was incorporated in Delaware and has its principal place of business in Tennessee.
10. Defendant ORIANNA HEALTH SYSTEMS, LLC, is a corporation which was incorporated in Delaware and has its principal place of business in Tennessee.
11. Defendant ORIANNA HOLDING COMPANY, LLC, is a corporation which was incorporated in Delaware and has its principal place of business in Tennessee.

12. Defendant HEATHER MINCHEW, is a Mississippi resident who has been either improperly named or fraudulently joined to this action for the sole purpose of defeating diversity.
13. Accordingly, this civil action is one in which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332 since it is a civil action between citizens of different states with the amount in controversy in excess of \$75,000.00, exclusive of costs and interest, and this action is thereby removed to this Court pursuant to 28 U.S.C. § 1441.
14. A copy of all pleadings previously filed in the Circuit Court of Hinds County, Mississippi, and served upon the removing Defendant are attached hereto as **Composite Exhibit "A"** to this pleading.
15. Pursuant to 28 U.S.C. § 1446, Plaintiff through counsel, is being provided with a copy of this Notice of Removal, and a copy of this Notice of Removal is being filed with the Clerk of the Circuit Court of Yazoo County, Mississippi.
16. Pursuant to this removal and the clear provisions of 28 U.S.C. § 1446, there should be no further proceedings in the Circuit Court of Yazoo County, Mississippi.

WHEREFORE, the above premises considered, Defendants OASIS HEALTH & REHAB OF YAZOO CITY, LLC, YAZOO CITY REHABILITATION AND HEALTHCARE CENTER, LLC, ARK MISSISSIPPI HOLDING COMPANY, LLC, ORIANNA HEALTH SYSTEMS, LLC, ORIANNA HOLDING COMPANY, LLC, and HEATHER MINCHEW, IN HER CAPACITY AS ADMINISTRATOR OF OASIS HEALTH & REHAB OF YAZOO CITY, requests that this Court properly assume full jurisdiction over this matter as provided by law.

Respectfully submitted, this 7th day of September, 2017.

QUINTAIROS, PRIETO, WOOD & BOYER, P. A.
Attorneys for Defendants *Oasis Health & Rehab of
Yazoo City, LLC, Yazoo City Rehabilitation and
Healthcare Center, LLC, Ark Mississippi Holding
Company, LLC, Orianna Health Systems, LLC,
Orianna Holding Company, LLC, and Heather
Minchew, in her Capacity as Administrator of
Oasis Health & Rehab of Yazoo City*



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY, the undersigned attorney for Defendants OASIS HEALTH & REHAB OF YAZOO CITY, LLC, YAZOO CITY REHABILITATION AND HEALTHCARE CENTER, LLC, ARK MISSISSIPPI HOLDING COMPANY, LLC, ORIANNA HEALTH SYSTEMS, LLC, ORIANNA HOLDING COMPANY, LLC, and HEATHER MINCHEW, IN HER CAPACITY AS ADMINISTRATOR OF OASIS HEALTH & REHAB OF YAZOO CITY, that I have served a true and correct copy of the above and foregoing *Notice of Removal* via USPS to: RAINER LAW FIRM, PLLC, **J. Edward Rainer, Esq.**, P.O. Box 258, Brandon, Mississippi 39042, this 7th day of September, 2017.



ANDREW S. BULLOCK (MSB #105101)